

NATIONAL INSURANCE ACT, 1911.

REGULATIONS made by the Scottish Insurance Commissioners established under the National Insurance Act, 1911, as to the Payment to be made on the Death of a Deposit Contributor out of amount standing to his credit in the Post Office Fund.

National Health Insurance Commission }
(Scotland), } HENRY L. F. FRASER.
18th April 1913.

(Presented in pursuance of the National Insurance Act, 1911.)

Ordered, by the House of Commons, to be Printed,
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NATIONAL HEALTH INSURANCE.

REGULATIONS MADE BY THE SCOTTISH INSURANCE COMMISSIONERS
UNDER SECTION 42 (f) OF THE NATIONAL INSURANCE ACT, 1911,
AS TO THE PAYMENT TO BE MADE ON THE DEATH OF A DEPOSIT
CONTRIBUTOR OUT OF AMOUNT STANDING TO HIS CREDIT IN THE
POST OFFICE FUND. DATED 18TH APRIL 1913.

The Scottish Insurance Commissioners, constituted under the National Insurance Act, 1911, in pursuance of the powers conferred upon them by Section 65 as applied to Scotland by Section 80, of the National Insurance Act, 1911, hereby, under and in terms of Section 42 (f) of the said Act and all other powers enabling them in that behalf, make the following Regulations:—

1. These Regulations may be cited as the National Health Insurance (Deposit Contributors, Payment on Death) (Scotland) Regulations, 1913.

2. (1) The Interpretation Act, 1889, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) In these Regulations the expression "the Commissioners" means the Scottish Insurance Commissioners.

3. Sections 56 to 61 of the Friendly Societies Act, 1896, shall for the purposes of the provisions of Section 42 (f) of the National Insurance Act, 1911, apply as set out and adapted in the Schedule to these Regulations, and expressions in those sections as so set out and adapted shall have the same meaning as they have in the last-mentioned Act.

Given under the Seal of Office of the aforesaid Scottish Insurance Commissioners this 18th day of April, in the year one thousand nine hundred and thirteen.

L. S.

JOHN C. McVAIL,
Vice-Chairman.

HENRY L. F. FRASER,
Assistant Secretary.

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SCHEDULE.

Provisions of the Friendly Societies Act, 1896, as adapted.

Section 56.—(1) A deposit contributor may, by writing under his hand delivered at or sent to the office of the Commissioners, nominate a person to whom the sum payable under paragraph (f) of Section 42 of the National Insurance Act, 1911, on the death of that contributor out of the amount standing to his credit in the Post Office Fund shall be paid at his decease.

(2) * * * * *

(3) * * * * *

(4) A nomination so made may be revoked and varied by any similar document under the hand of the nominator, delivered, sent, or made as aforesaid.

(5) The marriage of a deposit contributor shall operate as a revocation of any nomination theretofore made by him under paragraph (f) of Section 42 of the National Insurance Act, 1911.

(6) * * * * *

Section 57.—(1) The Commissioners shall, on receiving proof to their satisfaction of the death of a nominator, cause to be paid out of the Post Office Fund to the nominee such sum as is properly payable under paragraph (f) of Section 42 of the National Insurance Act, 1911, out of the amount standing to the credit of the nominator in the Post Office Fund.

(2) The receipt of a nominee over sixteen years of age for any amount so paid shall be valid.

(3) * * * * *

(4) * * * * *

Section 58.—(1) If any deposit contributor having any amount standing to his credit in the Post Office Fund dies intestate and without having made any nomination as aforesaid then subsisting, such sum as is properly payable under paragraph (f) of Section 42 of the National Insurance Act, 1911, out of the amount standing to the credit of that contributor in the Post Office Fund may be distributed without letters of administration by the Commissioners among such persons as appear to the Commissioners, upon such evidence as they may deem satisfactory, to be entitled by law to receive that sum.

(2) If any such deposit contributor is illegitimate, the Commissioners may pay the sum of money which that contributor might have nominated to or among the persons who, in the opinion of the Commissioners, would have been entitled thereto, if that contributor had been legitimate, or if there are no such persons, the Commissioners shall deal with the money in such manner as with the approval of the Treasury they may think fit.

Section 59.—When the principal value of the estate in respect of which estate duty is payable of any person entitled to make a nomination by virtue of the provisions of paragraph (f) of Section 42 of the National Insurance Act, 1911, exceeds one hundred pounds any sum paid under the provisions of this Schedule without probate or letters of administration shall, notwithstanding such nomination or payment, be liable to estate duty as part of the amount on which that duty is charged, and the Commissioners may before making any such payment require a statutory declaration by the claimant, or by one of the claimants, that the principal value of that estate, including the sum in question, does not after deduction of debts and funeral expenses exceed the value of one hundred pounds.

Section 60.—(1) A payment made under the foregoing provisions of this Schedule by the Commissioners shall be valid and effectual against any demand made upon the Commissioners by any other person, but the next of kin or lawful representative of the deceased deposit contributor shall have remedy for recovery of the money, so paid as aforesaid, against the person who has received that money.

(2) Where the Commissioners have paid money to a nominee in ignorance of a marriage subsequent to the nomination, the receipt of the nominee shall be a valid discharge to the Commissioners.

Section 61.—(1) The Commissioners shall not pay any sum of money upon the death of a deposit contributor whose death is or ought to be entered in any register of deaths, except upon the production of a certificate of that death under the hand of the registrar of deaths or other person having care of the register of deaths in which that death is or ought to be entered.

(2) This section shall not apply to deaths at sea, nor to a death by colliery explosion or other accident where the body cannot be found, nor to any death certified by a Procurator-Fiscal to be the subject of a pending inquest or inquiry.